

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TARSHAWN THOMPSON,

Plaintiff,

vs

9:03-CV-1317

GLENN GOORD, Commissioner, DOCS;
H. WALKER, Superintendent, Auburn Corr.
Facility; SERGEANT KIRKPATRICK, Sergeant,
Auburn Corr. Facility; C.O. KELSEY, Corrections
Officer, Auburn Corr. Facility; J. BARNS, Deputy
Superintendent of Security, Auburn Corr. Facility;
COUNSELOR RANDAZZO, Counselor, Auburn
Corr. Facility; and JOHN DOE(S) 1-10,

Defendants.

APPEARANCES:

OF COUNSEL:

TARSHAWN THOMPSON
Plaintiff, Pro Se
95-B-2285
Green Haven Correctional Facility
Route 216
Stormville, New York 12585-0010

HON. ELIOT SPITZER
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State of New York
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MARIA MORAN, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff brought this civil rights action pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated January 19, 2006, the Honorable David R. Homer, United States Magistrate Judge, among other things, recommended that the defendants' motion for summary judgment be granted and that judgment be entered in favor of the moving defendants on all claims; and that the complaint be dismissed without prejudice as to defendants Barns, Randazzo, and John Doe(s) 1-10. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Homer, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

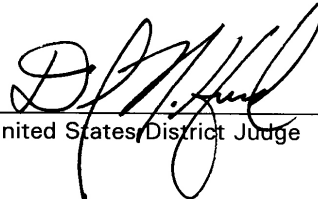
ORDERED that

1. The defendants' motion for summary judgment is GRANTED;
2. Judgment will be entered in favor of the moving defendants on all claims; and
3. The complaint is DISMISSED without prejudice as to defendants J. Barns, Counselor Randazzo, and John Doe(s) 1-10.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: February 27, 2006
Utica, New York.


United States District Judge